

ESTTA Tracking number: **ESTTA499368**

Filing date: **10/10/2012**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91196767
Party	Plaintiff Gruma Corporation
Correspondence Address	JOHN M CONE HITCHCOCK EVERT LLP PO BOX 131709 DALLAS, TX 75313-1709 UNITED STATES jccone@hitchcockevert.com, docket@hitchcockevert.com, ksimpson@hitchcockevert.com
Submission	Plaintiff's Notice of Reliance
Filer's Name	John M. Cone
Filer's e-mail	jccone@hitchcockevert.com, docket@hitchcockevert.com
Signature	/s/ John M. Cone
Date	10/10/2012
Attachments	121010 Opposer's Third Notice of Reliance 15-28.pdf (50 pages)(8078893 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 77/734,156 LA MORENITA

GRUMA CORPORATION,

Opposer,

v.

OLÉ MEXICAN FOODS, INC.,

Applicant.

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Opposition No. 91196767

OPPOSER'S THIRD NOTICE OF RELIANCE

Opposer GRUMA CORPORATION, in accordance with Rule 2.122(e) of the Trademark Rules of Practice, relies on the third party registrations of the marks listed below that cover both: flour and tortillas or tostadas, or tortillas and tostadas. Certified copies of the registrations are attached hereto as Appendices 15 through 28 inclusive:

Appendix 15 Registration No. 2975679 CHILE MERCADO

Appendix 16 Registration No. 2858028 LA PALOMA & Design

Appendix 17 Registration No. 417748 SMARTER FOODS & Design

Appendix 18 Registration No. 4176047 LAURA LYNN

Appendix 19 Registration No. 3858371 TOPSMART

Appendix 20 Registration No. 4009937 ARCHER FARMS & Design

Appendix 21 Registration No. 3989039 MAIZTECA

Appendix 22 Registration No. 4143704 SENOR CACTUS & Design

Appendix 23 Registration No. 4012383 LA CASONA

Appendix 24 Registration No. 3133092 TRIZALET & Design

Appendix 25 Registration No. 3262903 LUZMA & Design

Appendix 26 Registration No. 3458050 MOLINERO & Design

Appendix 27 Registration No. 3115949 MAMA LUPE'S

Appendix 28 Registration No. 3017559 BREADELI Design

The registrations are offered to show that flour (masa), tortillas and tostadas are related goods which customers would expect to be from the same source when advertised or sold under similar trademarks.

Dated: October 10, 2012

Respectfully submitted,

/s/ John M. Cone

John M. Cone

Hitchcock Evert LLP

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(214) 953-1121 Facsimile

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ATTORNEY FOR OPPOSER
GRUMA CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of October 2012, a true and correct copy of the foregoing document was served via U.S. Certified Mail, postage prepaid on:

Paul S. Owens
Paul Owens & Associates
PO Box 15310
Atlanta GA 30333-0310

/s/ John M. Cone
John M. Cone

APPENDIX 15

Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767

Gruma Corporation
Opposer's Second Notice of Reliance

Registration No. 2975679 CHILE MERCADO

1896370

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

September 14, 2012

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,975,679 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *July 26, 2005*
SECTION 8 & 15**

SAID RECORDS SHOW TITLE TO BE IN:

REGISTRANT

**By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office**



T. Wallace
T. WALLACE
Certifying Officer

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 2,975,679

Registered July 26, 2005

**TRADEMARK
PRINCIPAL REGISTER**

CHILE MERCADO

EL ENCANTO, INC. (NEW MEXICO CORPORATION), DBA BUENO FOODS

P.O. BOX 293

ALBUQUERQUE, NM 87103

FOR: CHILE POWDERS, SEASONINGS INCLUDING CHILE SEASONING, DRIED CHILE PEPPERS, SPICES, SUGAR, CORN FLOUR, CORN MEAL, GROUND CORN, FLOUR, TORTILLAS, TORTILLA CHIPS, CORN CHIPS, CHILE SAUCE, CHILE SALSA, AND SAUCE CONCENTRATE, IN CLASS 30 (U.S. CL. 46).

FIRST USE 6-25-2003; IN COMMERCE 6-25-2003.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "CHILE", APART FROM THE MARK AS SHOWN.

THE WORD MERCADO IN THE MARK TRANSLATES INTO ENGLISH AS MARKET OR MARKETPLACE.

SER. NO. 78-267,735, FILED 6-26-2003.

G. MAYERSCHOFF, EXAMINING ATTORNEY

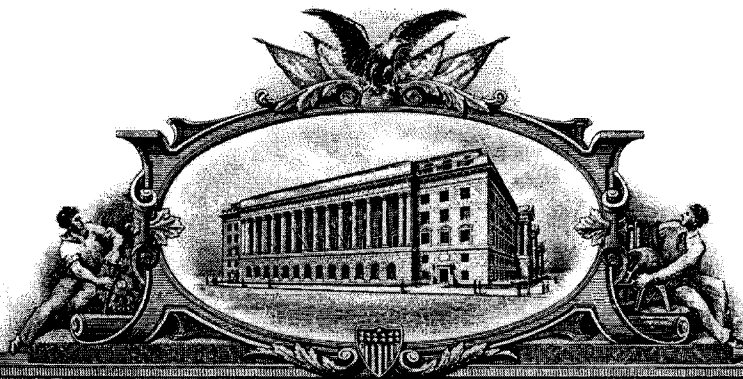
APPENDIX 16

Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767

Gruma Corporation
Opposer's Second Notice of Reliance

Registration No. 2858028 LA PALOMA & Design

1896371



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

September 14, 2012

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,858,028 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.**

REGISTERED FOR A TERM OF 10 YEARS FROM *June 29, 2004*

SECTION 8 & 15

LESS GOODS

SAID RECORDS SHOW TITLE TO BE IN:

REGISTRANT

**By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office**



T. Wallace
T. WALLACE
Certifying Officer

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 2,858,028

Registered June 29, 2004

TRADEMARK
PRINCIPAL REGISTER



C. H. GUENTHER & SON, INC. (TEXAS CORPORATION)
129 E. GUENTHER STREET
SAN ANTONIO, TX 78209

FOR: BAKING PRODUCTS, NAMELY, FLOUR, ALL PURPOSE FLOUR, WHEAT FLOUR, FLOUR TORTILLA MIX, AND CORN TORTILLA MIX; AND READY TO EAT TORTILLAS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 5-1-1999, THE MARK WAS FIRST USED ANYWHERE IN A DIFFERENT FORM OTHER THAN THAT SOUGHT TO BE REGISTERED ON 00/00/1934.; IN COMMERCE 5-1-1999, THE MARK WAS FIRST USED IN COMMERCE IN A DIFFERENT FORM OTHER

THAN THAT SOUGHT TO BE REGISTERED ON 00/00/1934..

OWNER OF U.S. REG. NOS. 760,405, 1,346,625, AND 1,479,815.

THE STIPPLING IS FOR SHADING PURPOSES ONLY.

THE ENGLISH TRANSLATION OF LA PALOMA IS THE DOVE.

SER. NO. 78-260,120, FILED 6-9-2003.

SOPHIA S. KIM, EXAMINING ATTORNEY

APPENDIX 17

Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767

Gruma Corporation
Opposer's Second Notice of Reliance

Registration No. 4177448 SMARTER FOODS & Design

1896372



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

**UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office**

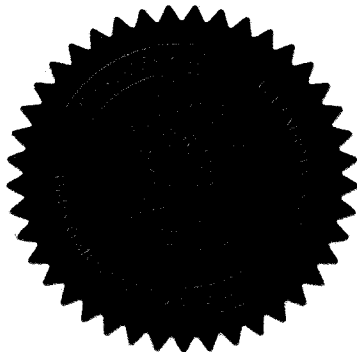
September 13, 2012

**THE ATTACHED U.S. TRADEMARK REGISTRATION 4,177,448 IS
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *July 24, 2012*
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office**


T. WALLACE
Certifying Officer



United States of America

United States Patent and Trademark Office



Reg. No. 4,177,448

Registered July 24, 2012

Int. Cl.: 30

TRADEMARK

PRINCIPAL REGISTER

HEARTLAND HEALTH SOLUTIONS, LLC (TENNESSEE LIMITED LIABILITY COMPANY)
9003 OVERLOOK BOULEVARD
BRENTWOOD, TN 37027

FOR: FOOD COMPOSITIONS CONTAINING WHEAT STARCH, TAPIOCA STARCH, BARLEY STARCH, OAT STARCH, POTATO STARCH, RICE STARCH, CORN FLOUR, CEREAL GRAIN OR A MIXTURE THEREOF, NAMELY, PASTA, NOODLES, PANCAKES, WAFFLES, PASTRIES, COOKIES, BROWNIES, CAKES, BREAD, UNLEAVENED BREAD, PIZZA DOUGH, TORTILLAS, PREPARED FOODS WITH OR WITHOUT CHEESE OR VEGETABLES IN THE NATURE OF AN ENTREE CONSISTING PRIMARILY OF PASTA, FLOUR AND FOOD STARCH, ALL OF WHICH HAVE A REDUCED GLYCEMIC INDEX, IN CLASS 30 (U.S. CL. 46).

FIRST USE 12-1-2009; IN COMMERCE 12-1-2009.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FOODS", APART FROM THE MARK AS SHOWN.

THE COLOR(S) BROWN AND ORANGE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORD "SMARTER" IN BROWN, THE WORD "FOODS" IN ORANGE, WITH THE DESIGN OF AN ORANGE STAR AND A BROWN FORK.

SER. NO. 77-713,438, FILED 4-14-2009.

MARK RADEMACHER, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office

APPENDIX 18

Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767

Gruma Corporation
Opposer's Second Notice of Reliance

Registration No. 4176047 LAURA LYNN

1896373



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:


**UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office**

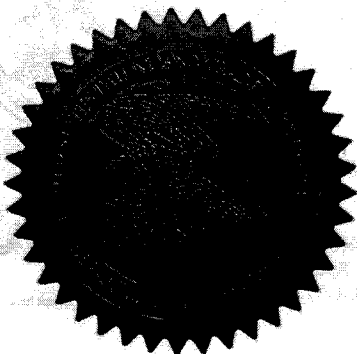
September 12, 2012

**THE ATTACHED U.S. TRADEMARK REGISTRATION 4,176,047 IS
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM July 17, 2012
SAID RECORDS SHOW TITLE TO BE IN: Registrant**

**By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office**


**T. WALLACE
Certifying Officer**



United States of America

United States Patent and Trademark Office

LAURA LYNN

Reg. No. 4,176,047

Registered July 17, 2012

**Int. Cls.: 3, 8, 9, 11, 16,
21, 22, 29, 30, 31, and 32**

INGLES MARKETS, INC. (NORTH CAROLINA CORPORATION)
P. O. BOX 6676
ASHEVILLE, NC 28816

FOR: DETERGENT SOAPS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FIRST USE 10-5-1993; IN COMMERCE 10-5-1993.

TRADEMARK

PRINCIPAL REGISTER

FOR: CUTLERY; FORKS, SPOONS, CAN OPENERS; EATING UTENSILS, NAMELY, KNIVES;
ICE TONGS, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

FIRST USE 8-12-2003; IN COMMERCE 8-12-2003.

FOR: MEASURING UTENSILS, NAMELY, MEASURING SPOONS; THERMOMETERS, IN
CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FIRST USE 2-6-2007; IN COMMERCE 2-6-2007.

FOR: APPARATUS FOR LIGHTING, NAMELY, LIGHT BULBS AND FLASHLIGHTS, IN
CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 3-28-2000; IN COMMERCE 3-28-2000.



FOR: BATHROOM TISSUE; PAPER FILTERS FOR COFFEE MAKERS; PAPER DIAPERS;
FACIAL TISSUE; PAPER NAPKINS, AND PAPER TOWELS; PLASTIC FOOD STORAGE
BAGS FOR HOUSEHOLD USE; CARDBOARD BOXES BEING GIFT CONTAINERS; REFUSE-
COLLECTION BAGS OF PAPER; REFUSE-COLLECTION BAGS OF PLASTIC, IN CLASS
16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FIRST USE 7-28-1990; IN COMMERCE 7-28-1990.

FOR: HOUSEHOLD OR KITCHEN UTENSILS, NAMELY, SERVING UTENSILS BEING
SPATULAS, SERVING SPOONS, MIXING BOWLS, CHEESE GRATERS, SERVING TONGS,
CUTTING BOARDS, STRAINERS, GARLIC PRESS, SQUEEGEES OF VARIOUS TYPES,
AND CONTAINERS FOR HOUSEHOLD OR KITCHEN USE; COMBS AND CLEANING
SPONGES; ARTICLES FOR CLEANING PURPOSES, NAMELY, CLEANING BRUSHES FOR
HOUSEHOLD USE, WASTE CONTAINERS FOR HOUSEHOLD USE, TOILET BOWL

David J. Kypas

Director of the United States Patent and Trademark Office

Reg. No. 4,176,047 CLEANER TOOL BEING A WAND WITH A BRUSH, WINDOW SQUEEGEE; CUPS, PLATES; HOUSEHOLD CONTAINERS FOR FOOD, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 1-10-1994; IN COMMERCE 1-10-1994.

FOR: SACKS AND BAGS FOR THE TRANSPORTATION OR STORAGE OF MATERIALS IN BULK, IN CLASS 22 (U.S. CLS. 1, 2, 7, 19, 22, 42 AND 50).

FIRST USE 7-28-1990; IN COMMERCE 7-28-1990.

FOR: APPLESAUCE, BACON, BAKED BEANS, BUTTER AND MARGARINE, CANNED FRUIT, CANNED COOKED MEAT; CANNED MILK; CANNED SOUP; CANNED VEGETABLES; CHEESE; NON-DAIRY COFFEE CREAMERS; COOKING OIL, COTTAGE CHEESE, CREAM CHEESE; NON-DAIRY CREAMERS, EGGS; DIPS EXCLUDING SALSA AND OTHER SAUCES USED AS DIPS; DRIED FRUIT; DRIED BEANS; DRIED SOUP; EGG SUBSTITUTES; FROZEN CHICKEN; FROZEN ENTREES CONSISTING PRIMARILY OF MEAT, FISH, POULTRY OR VEGETABLES; FROZEN FISH; FROZEN FRUIT; FROZEN MEAT; FROZEN ONION RINGS; FROZEN POTATOES; FROZEN SHRIMP; FROZEN VEGETABLES SOLD IN BAGS; FROZEN WHIPPED TOPPING; FRUIT-BASED SNACK FOODS; INSTANT POTATOES; JELLY; LUNCHEON MEATS, MILK; PROCESSED NUTS; ROASTED NUTS; PROCESSED OLIVES; PARMESAN CHEESE; PEANUT BUTTER; PICKLES; FRUIT-BASED PIE FILLING; POTATO CHIPS; REFRIGERATED DAIRY-BASED DIPS; REFRIGERATED MILK; SAUSAGE; SHORTENING; SNACK MIX CONSISTING PRIMARILY OF PROCESSED FRUITS, PROCESSED NUTS AND/OR RAISINS; SOUR CREAM; AND YOGURT, ALL FOR SALE IN RETAIL GROCERY STORES, IN CLASS 29 (U.S. CL. 46).

FIRST USE 5-22-1985; IN COMMERCE 5-22-1985.

FOR: RICE SOLD IN BAGS AND BOXES; BAGELS; BAKING MIXES, NAMELY, CAKE MIXES; FROSTING; BREAD; BREAD CRUMBS; READY-TO-EAT CHOCOLATE-BASED BREAKFAST FOOD BARS AND CEREAL DERIVED FOOD BARS, AND GRAIN-BASED BREAKFAST FOOD BARS; CANDY; CANNED PASTA, PROCESSED CEREALS, BREAKFAST CEREALS; FROZEN, PREPARED AND PACKAGED CHINESE FOOD MEALS CONSISTING PRIMARILY OF PASTA OR RICE; COCOA; COFFEE; CONDIMENTS, NAMELY, MUSTARD AND KETCHUP; COOKIES AND CRACKERS, CROUTONS; DESSERTS, NAMELY, BAKERY DESSERTS; SALAD DRESSING MIXES; DRIED PASTA; FLOUR AND CORNMEAL; FROZEN BREAD; FROZEN ENTREES CONSISTING PRIMARILY OF PASTA OR RICE; FROZEN HUSHPUPPIES; FROZEN PIE SHELLS; FROZEN PIZZA; GRITS; HONEY; ICE CREAM; CONES FOR ICE CREAM; MARSHMALLOWS; MAYONNAISE; FROZEN, PREPARED AND PACKAGED MEXICAN FOOD MEALS CONSISTING PRIMARILY OF PASTA OR RICE; MICROWAVE POPCORN; OATMEAL; PANCAKE MIX; CHOCOLATE-BASED PIE FILLINGS; CUSTARD-BASED PIE FILLINGS; POPCORN; PRETZELS; REFRIGERATED DOUGH; REFRIGERATED PUDDING; REFRIGERATED TORTILLAS; RICE CAKES; SALAD DRESSINGS; SAUCES; SHERBET; SNACK CAKES; SNACK CRACKERS; SNACK MIX CONSISTING PRIMARILY OF CRACKERS, PRETZELS, CANDIED NUTS AND/OR POPPED POPCORN; SPAGHETTI SAUCE; SPICES; STUFFING MIXES CONTAINING BREAD; SUGAR, CORN SYRUP AND TABLE SYRUP; TEA; TOASTER PASTRIES; VINEGAR, IN CLASS 30 (U.S. CL. 46).

FIRST USE 7-14-1990; IN COMMERCE 7-14-1990.

FOR: CAT FOOD; UNPROCESSED CEREALS; DOG BISCUITS; DOG TREATS; AND DOG FOODS, IN CLASS 31 (U.S. CLS. 1 AND 46).

FIRST USE 7-28-1990; IN COMMERCE 7-28-1990.

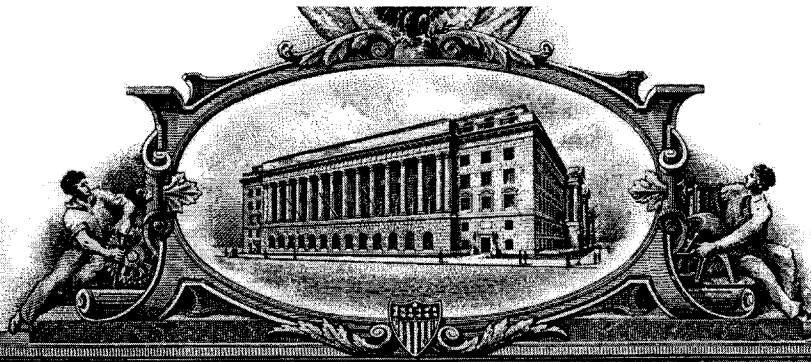
APPENDIX 19

Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767

Gruma Corporation
Opposer's Second Notice of Reliance

Registration No. 3858371 TOPSMART

1896374



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:


UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

September 14, 2012

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,858,371 IS
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *October 05, 2010*
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office


T. WALLACE
Certifying Officer



United States of America

United States Patent and Trademark Office

TOPSMART

Reg. No. 3,858,371

Registered Oct. 5, 2010

Int. Cls.: 30 and 32

TRADEMARK

PRINCIPAL REGISTER

TOPS MARKETS, LLC (NEW YORK LIMITED LIABILITY COMPANY)
6363 MAIN STREET
WILLIAMSVILLE, NY 14221

FOR: CANDY, NAMELY, FRUIT FLAVORED SNACKS; MIXES IN THE NATURE OF POWDERS USED IN THE PREPARATION OF TEA-BASED BEVERAGES; TABLE SYRUPS, BARBEQUE SAUCE, PASTA SAUCE, CANDY, TEA, COFFEE, SUGAR, FLOUR, CHOCOLATE CHIPS FOR BAKING, MIXES FOR BAKERY GOODS, GRAVY, PANCAKE MIXES, PASTA, HONEY, SALAD DRESSINGS, KETCHUP, MUSTARD, RELISH, VINEGAR, RICE, RICE AND SAUCE MIX COMBINED IN UNITARY PACKAGES, COOKIES, PRETZELS, MICROWAVE POPCORN, RICE CAKES, REFRIGERATED PUDDING, INSTANT PUDDING MIXES AND FLAVORED AND SWEETENED GELATIN, REFRIGERATED TORTILLAS, BREAD, FROZEN WAFFLES, ICE CREAM, IN CLASS 30 (U.S. CL. 46).

FIRST USE 7-31-2010; IN COMMERCE 7-31-2010.

FOR: MIXES IN THE NATURE OF POWDERS USED IN THE PREPARATION OF FRUIT FLAVORED BEVERAGES; BOTTLED WATER, NON-ALCOHOLIC BEVERAGES, NAMELY, CARBONATED BEVERAGES, SHELF-STABLE FRUIT JUICES, REFRIGERATED FRUIT JUICES, FROZEN FRUIT JUICES, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 7-31-2010; IN COMMERCE 7-31-2010.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 763,677, 1,465,722, AND OTHERS.

SN 77-980,270, FILED 11-5-2008.

KAELIE KUNG, EXAMINING ATTORNEY



David J. Kappas

Director of the United States Patent and Trademark Office

APPENDIX 20

**Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767**

**Gruma Corporation
Opposer's Second Notice of Reliance**

Registration No. 4009937 ARCHER FARMS & Design

1896355



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

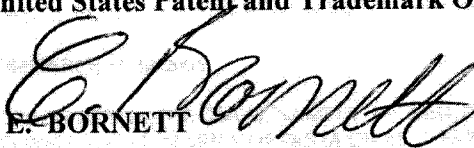
UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

September 13, 2012

THE ATTACHED U.S. TRADEMARK REGISTRATION 4,009,937 IS
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *August 09, 2011*
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office


E. BORNETT
Certifying Officer



United States of America

United States Patent and Trademark Office



Reg. No. 4,009,937

Registered Aug. 9, 2011

Int. Cls.: 29, 30, 31, and 32

TRADEMARK

PRINCIPAL REGISTER

TARGET BRANDS, INC. (MINNESOTA CORPORATION)
1000 NICOLLET MALL
MINNEAPOLIS, MN 55403

FOR: FOOD AND BEVERAGE PRODUCTS IN THE CLASS, NAMELY, PROCESSED, FROZEN, DRIED AND PRESERVED FRUITS AND VEGETABLES; FROZEN, PREPARED AND PACKAGED ENTREES AND MEALS CONSISTING PRIMARILY OF MEAT, FISH, POULTRY OR VEGETABLES; FROZEN, PREPARED AND PACKAGED VEGETABLE-BASED ENTREES; FROZEN APPETIZERS CONSISTING PRIMARILY OF CHICKEN OR SEAFOOD; PICKLES; PROCESSED OLIVES; PROCESSED FRUIT AND NUT-BASED FOOD BARS; FRUIT-BASED SNACK FOODS; SOY-BASED SNACK FOOD; SNACK MIX CONSISTING PRIMARILY OF PROCESSED FRUITS, PROCESSED NUTS AND/OR RAISINS; PROCESSED, ROASTED, PRESERVED, CANDIED AND SEASONED NUTS AND EDIBLE SEEDS; PROCESSED LUNCHEON MEATS; DRIED MEAT; SAUSAGES; MEAT, POULTRY, SEAFOOD NOT LIVE, PORK, FISH NOT LIVE; BUTTER; COOKING OIL; OLIVE OIL; MILK; NON-DAIRY CREAMER; DAIRY OR NON-DAIRY WHIPPED TOPPING; EGGS; YOGURT; CHEESE; PEANUT BUTTER; FRUIT PRESERVES; JELLIES AND JAMS; DIPS, EXCLUDING SALSA AND OTHER SAUCES USED AS DIPS; POTATO CHIPS AND POTATO-BASED SNACK FOODS; SOUP AND SOUP MIX; BROTH; BOUILLON; FRUIT AND VEGETABLE SALADS; POTATO SALAD, IN CLASS 29 (U.S. CL. 46).

FIRST USE 11-16-2005; IN COMMERCE 11-16-2005.



David J. Kappas

Director of the United States Patent and Trademark Office

FOR: FOOD AND BEVERAGE PRODUCTS IN THE CLASS, NAMELY, FROZEN, PREPARED AND PACKAGED ENTREES CONSISTING PRIMARILY OF PASTA OR RICE; PASTA; RICE; PASTA SALADS; BAKERY PRODUCTS; TORTILLAS; BREADS AND BREAD ROLLS; PIZZA; CROUTONS; SANDWICHES; MIXES FOR BAKERY GOODS; OATMEAL; BREAKFAST CEREALS; GRANOLA; BAGELS; BUNS; SCONES; CINNAMON ROLLS; PASTRIES; MUFFINS; CRACKERS; PRETZELS; SNACK MIX CONSISTING PRIMARILY OF CRACKERS, PRETZELS, CANDIED NUTS AND/OR POPPED POPCORN; POPCORN; CORN-BASED SNACK FOODS; TORTILLA CHIPS; COOKIES AND COOKIE MIXES; CANDY AND CANDY MINTS; CHOCOLATE COVERED NUTS; CEREAL-BASED SNACK FOODS; COCOA; COFFEE; TEA; BAKERY DESSERTS; CAKES, PIES, TARTS; FROZEN CONFECTIONS; FROZEN DESSERT CONSISTING OF FRUIT AND CREAM OR CREAM SUBSTITUTES; ICE CREAM; FROZEN YOGURT; DESSERT MOUSSE, CHEESECAKE; BROWNIES; SALAD DRESSINGS; MUSTARD; MARINADES; SAUCES; GRAVY; SALSA; RELISHES; VINEGAR; PROCESSED HERBS; SEASONING MIXES AND SEASONINGS; EXTRACTS USED AS FLAVORINGS;

Reg. No. 4,009,937 FLOUR; SPICES AND SPICE RUBS; CHOCOLATE; TOPPING SYRUP; PANCAKE SYRUP; FLAVORING SYRUPS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 1-5-2006; IN COMMERCE 1-5-2006.

FOR: RAW AND FRESH FRUITS AND VEGETABLES; FRESH, RAW AND UNPROCESSED NUTS, IN CLASS 31 (U.S. CLS. 1 AND 46).

FIRST USE 10-15-2006; IN COMMERCE 10-15-2006.

FOR: BEVERAGES, NAMELY, FRUIT JUICES, FRUIT DRINKS, SMOOTHIES, BOTTLED WATER INCLUDING MINERAL, DRINKING, SPARKLING AND FLAVORED WATER, IN CLASS 32 (U.S. CLS. 45, 46 AND 48).

FIRST USE 10-15-2006; IN COMMERCE 10-15-2006.

OWNER OF U.S. REG. NOS. 2,290,302, 2,292,831, AND 2,954,200.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "FARMS" "TASTY FOOD" "SATISFACTION GUARANTEED" AND "PREMIUM FOOD PRODUCTS", APART FROM THE MARK AS SHOWN.

THE MARK CONSISTS OF A HORIZONTAL OVAL WITH THE WORDS "ARCHER FARMS" WRITTEN ACROSS AND INSIDE THE UPPER OVAL. THE PHRASE "TASTY FOOD TASTY PRICE" IS STACKED BELOW THIS WITH A ROOSTER IMAGE BETWEEN "TASTY FOOD" AND "TASTY PRICE". THE PHRASE SATISFACTION GUARANTEED IS STACKED BELOW THIS IN CURSIVE, LOWER CASE LETTERS. THE PHRASE "PREMIUM FOOD PRODUCTS" IS STACKED BELOW THIS ALONG THE INSIDE BOTTOM OF THE OVAL.

SN 77-820,464, FILED 9-4-2009.

CHRISIE B. KING, EXAMINING ATTORNEY

APPENDIX 21

Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767

Gruma Corporation
Opposer's Second Notice of Reliance

Registration No. 3989038 MAIZTECA

1996354



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

September 13, 2012

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,989,038 IS
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *July 05, 2011*
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office

E. Bornett
E. BORNETT

Certifying Officer



United States of America

United States Patent and Trademark Office

MAIZTECA

Reg. No. 3,989,038

Registered July 5, 2011

Int. Cl.: 30

TRADEMARK

PRINCIPAL REGISTER

MAIZTECA FOODS, INC. (NEW YORK CORPORATION)
130-05 LIBERTY AVENUE
SOUTH RICHMOND HILL, NY 11419

FOR: TORTILLAS, CORN TORTILLAS, FLOUR TORTILLAS, TORTILLAS USED FOR
MAKING CHIPS, TOSTADAS, BREAD, IN CLASS 30 (U.S. CL. 46).

FIRST USE 7-1-1998; IN COMMERCE 7-1-1998.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PAR-
TICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,293,527.

SER. NO. 85-161,482, FILED 10-26-2010.

DEBRA LEE, EXAMINING ATTORNEY



David J. Kyfas

Director of the United States Patent and Trademark Office

APPENDIX 22

Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767

Gruma Corporation
Opposer's Second Notice of Reliance

Registration No. 4143704 SENOR CACTUS & Design

1896352



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

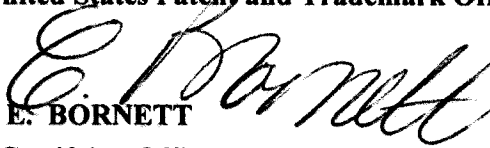
**UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office**

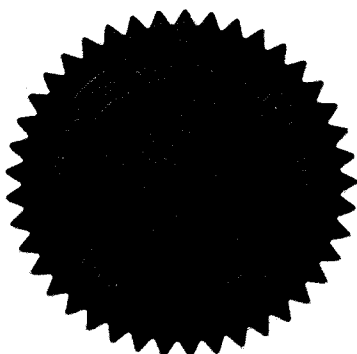
September 13, 2012

**THE ATTACHED U.S. TRADEMARK REGISTRATION 4,143,704 IS
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *May 15, 2012*
SAID RECORDS SHOW TITLE TO BE IN: *Registrant***

**By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office**


**E. BORNETT
Certifying Officer**



United States of America

United States Patent and Trademark Office



Reg. No. 4,143,704

Registered May 15, 2012

Int. Cl.: 30

TRADEMARK

PRINCIPAL REGISTER

NOPAL INDUSTRIALIZADO, S.A. DE C.V. (MEXICO CORPORATION)
JULIO ESCOBEDO 214, COL. CENTRO
MORELOS, ZACATECAS, MEXICO 98100

FOR: TORTILLA CHIPS; TORTILLA SHELLS; TORTILLAS; TOSTADAS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 6-10-2009, THE MARK WAS FIRST USED ANYWHERE IN A DIFFERENT FORM OTHER THAN THAT SOUGHT TO BE REGISTERED AT LEAST AS EARLY AS 06/10/2009.; IN COMMERCE 1-15-2012, THE MARK WAS FIRST USED IN COMMERCE IN A DIFFERENT FORM OTHER THAN THAT SOUGHT TO BE REGISTERED AT LEAST AS EARLY AS 06/10/2009..

THE NAME(S), PORTRAIT(S), AND/OR SIGNATURE(S) SHOWN IN THE MARK DOES NOT IDENTIFY A PARTICULAR LIVING INDIVIDUAL.

THE COLOR(S) DARK GREEN, LIGHT GREEN, WHITE AND BLACK IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF THE WORDS "SEÑOR CACTUS" WRITTEN IN WHITE LETTERS WITH BLACK SHADING OVER A DARK GREEN AND LIGHT GREEN BACKGROUND, WITHIN A STYLIZED, HORIZONTAL CACTUS LEAF OUTLINED IN BLACK.

THE ENGLISH TRANSLATION OF "SEÑOR" IN THE MARK IS MISTER.

SN 85-209,511, FILED 1-3-2011.

STEVEN PEREZ, EXAMINING ATTORNEY



David J. Kybas

Director of the United States Patent and Trademark Office

APPENDIX 23

Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767

Gruma Corporation
Opposer's Second Notice of Reliance

Registration No. 4012383 LA CASONA

1896351



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

September 13, 2012

**THE ATTACHED U.S. TRADEMARK REGISTRATION 4,012,383 IS
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH
REGISTRATION IS IN FULL FORCE AND EFFECT.**

**REGISTERED FOR A TERM OF 10 YEARS FROM August 16, 2011
SAID RECORDS SHOW TITLE TO BE IN: Registrant**

By Authority of the

**Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office**

E. BORNETT

Certifying Officer



United States of America

United States Patent and Trademark Office

LA CASONA

Reg. No. 4,012,383

Registered Aug. 16, 2011

Int. Cls.: 29 and 30

TRADEMARK

PRINCIPAL REGISTER

RP FOODS, LLC (TEXAS LIMITED LIABILITY COMPANY)
1225 CAPITAL DRIVE, SUITE 100
CARROLLTON, TX 75006

FOR: CHORIZO, CHEESE, PROCESSED BEANS, REFRIED BEANS, CREAM, IN CLASS 29 (U.S. CL. 46).

FIRST USE 5-14-2008; IN COMMERCE 5-16-2008.

FOR: FLAVORED, SWEETENED GELATIN DESSERTS, FLAN, RICE PUDDING, TOSTADAS, TORTILLAS, IN CLASS 30 (U.S. CL. 46).

FIRST USE 1-1-2001; IN COMMERCE 1-1-2001.

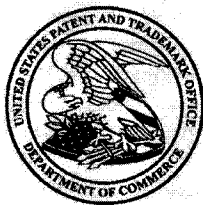
THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NO. 2,689,193.

THE ENGLISH TRANSLATION OF "LA CASONA" IS "BIG HOUSE".

SER. NO. 85-225,148, FILED 1-25-2011.

CAROLINE WOOD, EXAMINING ATTORNEY



David J. Kyfas

Director of the United States Patent and Trademark Office

APPENDIX 24

Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767

Gruma Corporation
Opposer's Second Notice of Reliance

Registration No. 3133092 TRIZALET & Design



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

September 17, 2012

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,133,092 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM August 22, 2006

SECTION 8

SAID RECORDS SHOW TITLE TO BE IN:

Registrant

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office



E. Bornett
E. BORNETT
Certifying Officer

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 3,133,092

Registered Aug. 22, 2006

**TRADEMARK
PRINCIPAL REGISTER**



PRODUCTOS TRIZALET, S.A. DE C.V. (MEXICO
CORPORATION)
CALZADA AEROPUERTO 7655
COL. BACHIGUALATO
CULIACÁN, SINALOA, MEXICO

THE MARK CONSISTS OF THE WORD TRIZA-
LET IN STYLIZED LETTER ON A RIBBON.

FOR: TORTILLA SHELLS; TOSTADAS, IN CLASS
30 (U.S. CL. 46).

SER. NO. 78-723,808, FILED 9-30-2005.

FIRST USE 2-26-1996; IN COMMERCE 2-26-1996.

DAVID COLLIER, EXAMINING ATTORNEY

APPENDIX 25

Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767

Gruma Corporation
Opposer's Second Notice of Reliance

Registration No. 3262903 LUZMA & Design

1896348



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

September 17, 2012

**THE ATTACHED U.S. TRADEMARK REGISTRATION 3,262,903 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.**

REGISTERED FOR A TERM OF 10 YEARS FROM *July 10, 2007*

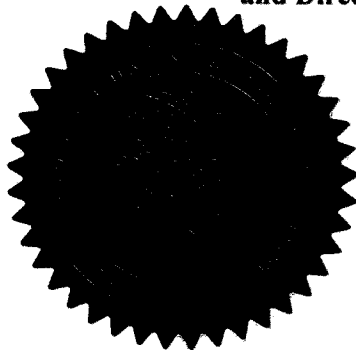
SECTION 8 & 15

LESS GOODS

SAID RECORDS SHOW TITLE TO BE IN:

Registrant

**By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office**



E. BARNETT
Certifying Officer

Int. Cls.: 29 and 30

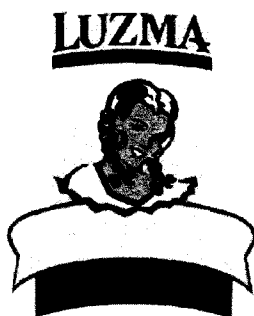
Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 3,262,903

Registered July 10, 2007

TRADEMARK
PRINCIPAL REGISTER



AFRIMA DE MICHOACAN S. DE R.L. DE C.V.
(MEXICO CORPORATION)

BENITO JUAREZ NO. 1205

COLONIA GRANJAS DEL MAESTRO

MORELIA, ESTADO DE MICHOACAN, MEXICO
58110

FOR: MEAT, FISH, POULTRY AND GAME; ~~MILK~~
~~AND MILK PRODUCTS, EXCLUDING ICE CREAM,~~
~~ICE MILK AND FROZEN YOGURT~~, IN CLASS 29
(U.S. CL. 46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

FOR: CONFECTIONS MADE OF CEREAL, CORN
AND WHEAT, NAMELY, BREAKFAST CEREALS,
SNACK FOODS MADE OF CEREAL, CORN AND
WHEAT; TORTILLAS, TOSTADAS, TOTOPOS, TOR-
TILLA CHIPS, CORN CHIPS, IN CLASS 30 (U.S. CL.
46).

FIRST USE 8-0-2006; IN COMMERCE 8-0-2006.

THE COLOR(S) RED, YELLOW, GREEN, PUR-
PLE, BROWN, BLACK, AND WHITE IS/ARE
CLAIMED AS A FEATURE OF THE MARK.

THE WORD "LUZMA" APPEARS IN RED OVER A
CURVED RECTANGLE BANNER OF YELLOW
WITH A BAND OF GREEN ON THE BOTTOM.
THE COLORS BLACK, WHITE AND BROWN ARE
USED TO PORTRAY THE HEAD OF A WOMAN
WEARING RED HAIR RIBBONS AND A WHITE
BLOUSE OUTLINED IN PURPLE. BEHIND THE
WOMAN ARE YELLOW RAYS OF LIGHT, UNDER-
NEATH THE WOMAN ARE CURVED RECTANGU-
LAR BANNERS, THE FIRST IN YELLOW
BORDERED WITH RED, THE SECOND, DIRECTLY
UNDERNEATH AND IN RED.

SN 78-732,982, FILED 10-13-2005.

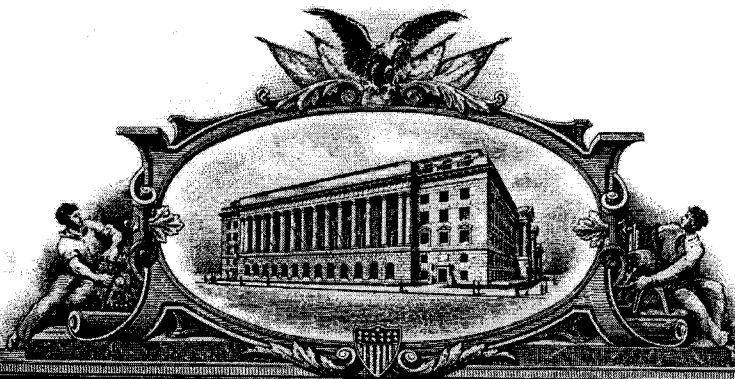
JERI J. FICKES, EXAMINING ATTORNEY

APPENDIX 26

Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767

Gruma Corporation
Opposer's Second Notice of Reliance

Registration No. 3458050 MOLINERO & Design



1896347

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME;

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

September 17, 2012

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,458,050 IS
CERTIFIED TO BE A TRUE COPY OF THE REGISTRATION ISSUED BY
THE UNITED STATES PATENT AND TRADEMARK OFFICE WHICH
REGISTRATION IS IN FULL FORCE AND EFFECT.

REGISTERED FOR A TERM OF 10 YEARS FROM *July 01, 2008*
SAID RECORDS SHOW TITLE TO BE IN: *Registrant*

By Authority of the
Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office


E. BORNETT
Certifying Officer



Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 3,458,050

Registered July 1, 2008

**TRADEMARK
PRINCIPAL REGISTER**



EL-MILAGRO, INC. (ILLINOIS CORPORATION)
2919 SOUTH WESTERN AVENUE
CHICAGO, IL 60608

FOR: TORTILLAS, TORTILLA CHIPS, TACO
SHELLS, TOSTADA SHELLS, IN CLASS 30 (U.S. CL.
46).

FIRST USE 4-0-2001; IN COMMERCE 4-0-2001.

THE NAME(S), PORTRAIT(S), AND/OR SIGNA-
TURE(S) SHOWN IN THE MARK DOES NOT IDEN-
TIFY A PARTICULAR LIVING INDIVIDUAL.

THE FOREIGN WORDING IN THE MARK
TRANSLATES INTO ENGLISH AS THE MILLER.

SER. NO. 78-835,975, FILED 3-13-2006.

DAVID I, EXAMINING ATTORNEY

APPENDIX 27

**Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767**

**Gruma Corporation
Opposer's Second Notice of Reliance**

Registration No. 3115949 MAMA LUPE'S

1896346



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

September 12, 2012

THE ATTACHED U.S. TRADEMARK REGISTRATION 3,115,949 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.

REGISTERED FOR A TERM OF 10 YEARS FROM July 18, 2006

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

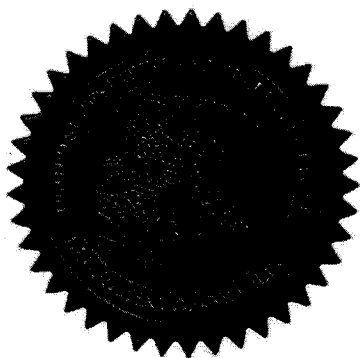
REGISTRANT

By Authority of the

Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office

N. WILLIAMS

Certifying Officer



Int. Cl.: 30

Prior U.S. Cl.: 46

Reg. No. 3,115,949

United States Patent and Trademark Office

Registered July 18, 2006

**TRADEMARK
PRINCIPAL REGISTER**

MAMA LUPE'S

TORTILLA KING, INC. (KANSAS CORPORATION)
249 23RD AVENUE, P.O. BOX 763
MOUNDRIDGE, KS 67107

FOR: FLOUR TORTILLAS, CORN TORTILLAS,
TORTILLA CHIPS, TACO SHELLS, TOSTADAS
SHELLS AND DIPPING SALSAS, IN CLASS 30 (U.S.
CL. 46).

FIRST USE 0-0-1987; IN COMMERCE 0-0-1990.

THE MARK CONSISTS OF STANDARD CHAR-
ACTERS WITHOUT CLAIM TO ANY PARTICULAR
FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-330,919, FILED 11-20-2003.

KIMBERLY FRYE, EXAMINING ATTORNEY

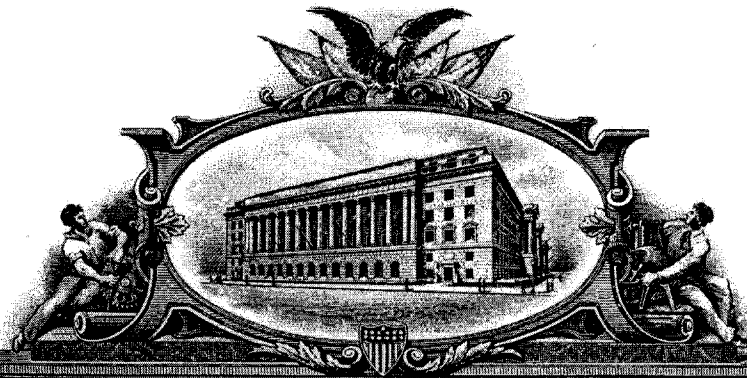
APPENDIX 28

Gruma Corporation v. Olé Mexican Foods, Inc.
Opposition No. 91196767

Gruma Corporation
Opposer's Second Notice of Reliance

Registration No. 3017559 BREADELI Design

1896344



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

September 12, 2012

**THE ATTACHED U.S. TRADEMARK REGISTRATION 3,017,559 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.**

REGISTERED FOR A TERM OF 10 YEARS FROM *November 22, 2005*

SECTION 8

AMENDMENT/CORRECTION/NEW CERT(SECT) ISSUED

SAID RECORDS SHOW TITLE TO BE IN:

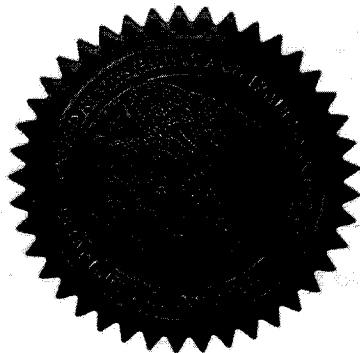
REGISTRANT

By Authority of the

**Under Secretary of Commerce for Intellectual Property
and Director of the United States Patent and Trademark Office**

N. WILLIAMS

Certifying Officer



Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office
Corrected

Reg. No. 3,017,559

Registered Nov. 22, 2005

OG Date Feb. 27, 2007

TRADEMARK
PRINCIPAL REGISTER

breadeli

NEW PRIMEBAKE LTD. (UNITED KING-
DOM CORPORATION)
WHITCHURCH ROAD, NEWHALL,
NANTWICH
CHESHIRE CH5 8DL, UNITED KING-
DOM

PRIORITY CLAIMED UNDER SEC.
44(D) ON UNITED KINGDOM APPLICA-
TION NO. 2362293, FILED 4-30-2004, REG.
NO. 2362293, DATED 12-10-2004, EXPIRES
4-30-2014.

THE COLOR(S) SILVER IS/ARE
CLAIMED AS A FEATURE OF THE
MARK.

MARK APPEARS ENTIRELY IN THE
COLOR SILVER.

FOR: BREADS, ROLLS, PASTRIES,
CROISSANTS, PUDDINGS, DESSERT
PUDDINGS, PIES, CAKES, PIZZAS, BA-
GUETTES, CIABATTAS, FOCACIAS,
FLATBREADS, FILLED BREADS, MUF-

FINS, CONFECTIONERY, NAMELY,
CANDY, GUM SWEETS, TOFFEE, CHO-
COLATES, CHOCOLATE BARS AND
CHOCOLATE CANDIES, CRISP BREADS,
BISCUITS, COOKIES, BAGELS, PAN-
CAKES, CRUMPETS, DOUGHNUTS,
SANDWICHES, EARTH BREADS, ARTI-
SAN BREADS, OLD WORLD BREADS,
CRUSTY BREADS; TORTILLAS, TACO
CHIPS, FLOUR BASED CHIPS, CORN
CHIPS, TORTILLA CHIPS, TOSTADAS;
STONEBAKED BREADS, BREAD STICKS,
CRUSTINIS, NAMELY, THIN FRENCH
BREAD SLICES BRUSHED WITH OLIVE
OIL AND TOASTED; TEXAS TOAST
SLICES, BREAD DOUGH BALLS,
TOPPED BREADS, CRAFT BREADS;
GATEAUX; CRISPS; WHEAT BASED
SNACK FOODS, IN CLASS 30 (U.S. CL.
46).

SER. NO. 78-434,508, FILED 6-14-2004.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Feb. 27, 2007.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

Int. Cl.: 30

Prior U.S. Cl.: 46

Reg. No. 3,017,559

United States Patent and Trademark Office

Registered Nov. 22, 2005

Corrected

OG Date Jan. 16, 2007

TRADEMARK
PRINCIPAL REGISTER

breadeli

NEW PRIMEBAKE LTD. (UNITED KINGDOM CORPORATION)
WHITCHURCH ROAD, NEWHALL,
NANTWICH
CHESHIRE CH5 8DL, UNITED KINGDOM
PRIORITY CLAIMED UNDER SEC.
44(D) ON UNITED KINGDOM APPLICATION NO. 2362293, FILED 4-30-2004, REG. NO. 2362293, DATED 12-10-2004, EXPIRES 4-30-2014.

THE COLOR(S) SILVER IS/ARE CLAIMED AS A FEATURE OF THE MARK.

MARK APPEARS ENTIRELY IN THE COLOR SILVER.

FOR: BREADS, ROLLS, PASTRIES, CROISSANTS, PUDDINGS, DESSERT PUDDINGS, PIES, CAKES, PIZZAS, BAGUETTES, CIABATTAS, FOCCACIAS, FLATBREADS, FILLED BREADS, MUF-

FINS, CONFECTIONERY, NAMELY, CANDY, GUM SWEETS, TOFFEE, CHOCOLATES, CHOCOLATE BARS AND CHOCOLATE CANDIES, CRISP BREADS, BISCUITS, COOKIES, BAGELS, PANCAKES, CRUMPETS, DOUGHNUTS, SANDWICHES, EARTH BREADS, ARTISAN BREADS, OLD WORLD BREADS, CRUSTY BREADS, TORTILLAS, TACO CHIPS, FLOUR BASED CHIPS, CORN CHIPS, TORTILLA CHIPS, TOSTADAS, STONEBAKED BREADS, BREAD STICKS, CRUSTINIS, NAMELY, THIN FRENCH BREAD SLICES BRUSHED WITH OLIVE OIL AND TOASTED; TEXAS TOAST SLICES, BREAD DOUGH BALLS, TOPPED BREADS, CRAFT BREADS; GATEAUX; CRISPS; WHEAT BASED SNACK FOODS, IN CLASS 30 (U.S. CL. 46).

SER. NO. 78-434,508, FILED 6-14-2004.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Jan. 16, 2007.*

DIRECTOR OF THE U.S. PATENT AND TRADEMARK OFFICE

Int. Cl.: 30

Prior U.S. Cl.: 46

United States Patent and Trademark Office

Reg. No. 3,017,559

Registered Nov. 22, 2005

**TRADEMARK
PRINCIPAL REGISTER**

breadeli

NEW PRIMEBAKE LTD. (UNITED KINGDOM
CORPORATION)
WHITCHURCH ROAD, NEWHALL, NANTWICH
CHESHIRE CH5 8DL, UNITED KINGDOM

FOR: BREADS, ROLLS, PASTRIES, CROISSANTS,
PUDDINGS, DESSERT PUDDINGS, PIES, CAKES,
PIZZAS, BAGUETTES, CIABATTAS, FOCCACIAS,
FLATBREADS, FILLED BREADS, MUFFINS, CON-
FECTIONERY, NAMELY, CANDY, GUM SWEETS,
TOFFEE, CHOCOLATES, CHOCOLATE BARS AND
CHOCOLATE CANDIES, CRISP BREADS, BIS-
CUITS, COOKIES, BAGELS, PANCAKES, CRUM-
PETS, DOUGHNUTS, SANDWICHES, EARTH
BREADS, ARTISAN BREADS, OLD WORLD
BREADS, CRUSTY BREADS; TORTILLAS, TACO
CHIPS, FLOUR BASED CHIPS, CORN CHIPS, TOR-
TILLA CHIPS, TOSTADAS; STONEBAKED BREADS,
BREAD STICKS, CRUSTINIS, NAMELY, THIN
FRENCH BREAD SLICES BRUSHED WITH OLIVE
OIL AND TOASTED; TEXAS TOAST SLICES,

BREAD DOUGH BALLS, TOPPED BREADS, CRAFT
BREADS; GATEAUX; CRISPS; WHEAT BASED
SNACK FOODS, IN CLASS 30 (U.S. CL. 46).

PRIORITY CLAIMED UNDER SEC. 44(D) ON
UNITED KINGDOM APPLICATION NO. 2362293,
FILED 4-30-2004, REG. NO. 2362293, DATED 12-10-
2004, EXPIRES 4-30-2014.

THE COLOR(S) SILVER IS/ARE CLAIMED AS A
FEATURE OF THE MARK.

MARK APPEARS ENTIRELY IN THE COLOR
SILVER.

SER. NO. 78-434,508, FILED 6-14-2004.

KIMBERLY PERRY, EXAMINING ATTORNEY